

REMARKS

This application is a divisional of Serial No. 09/724,813 filed November 28, 2000. Claims 1-23, which have been allowed in the parent application, are cancelled leaving Claims 24-27 pending, of which Claim 24 has been amended. Support for the amendment to Claim 24 can be found, e.g., in the paragraph at page 8, lines 15 to 26. No new matter has been added.

The specification has been amended to correct a typographical error and to claim priority to U.S. Serial No. 09/724,813, filed November 28, 2000, entitled "Profiling Method".

In the parent application, i.e., Serial No. 09/724,813, Claims 24-27 were rejected under 35 U.S.C. § 103 as being unpatentable over Caro. (US 5,348,002) ("Caro").

Applicants submit that Claims 24-27 are patentable over Caro. Caro is directed to monitoring an acoustic signal created by expansion of a sample from electromagnetic radiation passes through the material. Col. 7, lines 49-61. Caro states that "recording the magnitude of the acoustic signal as a function of wavelength provides a direct measure of the amount of absorption in the medium as a function of wavelength." Col. 7, lines 58-61.

Claim 24, on the other hand, recites "scanning a measurement spot of light from a differential interferometer across said region", "measuring the intensity of at least said measurement spot of light" and "determining the material ... by the measured intensity" as recited in Claim 24.

Applicants submit that there is no suggestion in Caro to replace Caro's apparatus, which monitors acoustic signals, with a differential interferometer, that "measure[s] the intensity of at least said measurement spot of light" as recited in Claim 24.

Accordingly, Applicants submit that Claim 24 is patentable over Caro. Claims 25-27 depend from Claim 24 and are, therefore, likewise patentable.

Applicants note that copies of the references cited in the accompanying Form 1449 can be found in the file of the parent application 09/724,813. If the Examiner cannot obtain

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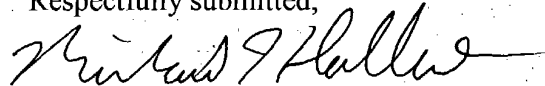
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copies of the reference from the parent application, Applicants will supply copies of the references on request.

Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8202.

**Via Express Mail Label No.
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Respectfully submitted,



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